

AN ORDINANCE

10-0-0023

BY:

Z-09-24

AN ORDINANCE TO AMEND SECTION 16-28A.013(a)(x) OF THE CITY OF ATLANTA SIGN ORDINANCE FOR THE PURPOSE OF CLARIFYING THE EFFECT OF MODIFICATION OR REPLACEMENT OF STRUCTURES SUPPORTING ON THE NON-CONFORMITY OF GENERAL ADVERTISING SIGNS; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta Sign Ordinance was amended by Ordinance 07-O-0602 in order to update provisions concerning changing sign technology, which includes LED display signs, in order to facilitate construction at appropriate locations in the City of Atlanta; and

WHEREAS, changing signs had been allowed on non-conforming general advertising signs in districts where changing signs are otherwise allowed; and

WHEREAS, a changing sign face utilizing LED technology weighs several times more than a conventional sign face; and

WHEREAS, state law forbids municipalities from causing the removal of nonconforming outdoor advertising signs by prohibiting such signs from being repaired such that nonconforming general advertising signs cannot be removed even when destroyed or their support structures have deteriorated to the point of replacement unless compensation is paid to the sign's owner; and

WHEREAS, it was the intent of Ordinance 07-O-0602 that such conversion of the sign face of legally non-conforming signs allow for the utilization of LED sign technology in districts where changing signs were otherwise allowed; and

WHEREAS, it was the intent of Sec. 16-28A013(a)(x) as contained in Ordinance 07-O-0602 that the repairs and maintenance necessary to allow conversion of the sign face for the utilization of changing sign technology would not be considered an expansion of the degree of the nonconformity; and

WHEREAS, the Bureau of Buildings has interpreted Sec. 16-28A013(a)(x) as not allowing the strengthening of the sign structure as necessary to support the heavier changing LED sign faces; and

WHEREAS, clarification of this subsection is necessary to allow the conversion of non-conforming signs to LED sign technology in districts where changing signs are otherwise allowed;

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF ATLANTA
GEORGIA HEREBY ORDAINS:**

SECTION 1: That Section 16-28A.013(a)(x) of the City of Atlanta Sign Ordinance which reads as follows:

- (x) No permit will be issued for any change to a legally nonconforming sign that enlarges or expands the degree of nonconformity, provided however that repairs and normal maintenance of legally nonconforming signs including the repairs and maintenance necessary to allow conversion of the sign face for the utilization of changing sign technology shall not be considered an expansion of the degree of nonconformity. An existing changing sign that is legally nonconforming shall be allowed to utilize this provision for purpose of installing a different changing sign technology.

be amended with the deleted text marked by ~~striking it through~~ and added text marked as underlined:

- (x) No permit will be issued for any change to a legally nonconforming sign that enlarges or expands the degree of nonconformity, provided however that repairs and normal maintenance of legally nonconforming signs shall be allowed, including the repairs and maintenance necessary structural modifications or replacement of the sign's structural supports to allow conversion of the sign face for the utilization of changing sign technology and such structural modifications or replacement of the sign's structural supports to the size and height previously existing shall not be considered an expansion of the degree of nonconformity in a district where changing signs are otherwise allowed. An existing changing sign that is legally nonconforming shall be allowed to utilize this provision for purpose of installing a different changing sign technology. Notwithstanding the foregoing, any general advertising sign to be converted to a changing sign must comply with any applicable requirements as to distance from other changing general advertising signs

such that Section 16-28A.013(a)(x) of the City of Atlanta Sign Ordinance shall read as follows:

- (x) No permit will be issued for any change to a legally nonconforming sign that enlarges or expands the degree of nonconformity, provided however that repairs and normal maintenance of legally nonconforming signs shall be allowed, including structural modifications or replacement of the sign's structural supports to allow conversion of the sign face for the utilization of changing sign technology and such structural modifications or replacement of the sign's structural supports to the size and height previously existing shall not be considered an expansion of the degree of nonconformity in a district where changing signs are otherwise allowed. An existing changing sign that is

legally nonconforming shall be allowed to utilize this provision for purpose of installing a different changing sign technology. Notwithstanding the foregoing, any general advertising sign to be converted to a changing sign must comply with any applicable requirements as to distance from other changing general advertising signs

SECTION 2: This ordinance shall become effective upon its signature by the Mayor or as otherwise provided by operation of law.

ZONING REVIEW BOARD
DEFERRED

ON

11/12/2009

UNTIL

December 2009

Martha Porter Day

CHAIRMAN

Date

DEPARTMENTAL AUTHORIZATION

09-0-0837

(Do Not Write Above This Line)

AN ORDINANCE
BY: ZONING COMMITTEE

109-0-124
Z-09-124

AN ORDINANCE TO AMEND SECTION 16-28A.013(a)(x) OF THE CITY OF ATLANTA SIGN ORDINANCE FOR THE PURPOSE OF CLARIFYING THE EFFECT OF MODIFICATION OR REPLACEMENT OF STRUCTURES SUPPORTING ON THE NON-CONFORMITY OF GENERAL ADVERTISING SIGNS; AND FOR OTHER PURPOSES.

Committee _____
Date _____
Chair _____
Referred to _____

First Reading

FINAL COUNCIL ACTION

☐ 2nd ☐ 1st & 2nd ☐ 3rd

Readings

☐ Consent ☐ V Vote ☐ CRC Vote

CERTIFIED

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

MAYOR'S ACTION

- ☐ CONSENT REFER
- ☐ REGULAR REPORT REFER
- ☐ ADVERTISE & REFER
- ☐ 1st ADOPT 2nd READ & REFER
- ☒ PERSONAL PAPER REFER

Date Referred 5/14/09

Referred To: Zoning

Date Referred

Referred To:

Date Referred

Referred To: